

Gordon & Rees LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111

BRUCE A. HARLAND, Bar No. 230477
MANUEL A. BOÍGUES, Bar No. 248990
JORDAN D. MAZUR, Bar No. 257899
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501-1091
Telephone 510.337.1001
Fax 510.337.1023
Email: bharland@unioncounsel.net
mboigues@unioncounsel.net
courtnotices@unioncounsel.net

Attorneys for Plaintiff

DANIEL T. BERKLEY, Bar No. 050111
BRIAN P. MASCHLER, Bar No. 111824
GORDON & REES, LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111
Telephone 415.986.5900
Fax 415.986.8054
Email: dberkley@gordonrees.com
bmaschler@gordonrees.com

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SEIU UNITED HEALTHCARE WORKERS -)	CASE NO. C11-00834 JSW
WEST,)	
Plaintiff,)	AMENDED STIPULATED REQUEST
vs.)	FOR ORDER CONTINUING ALL
)	SCHEDULED DATES AND
)	[PROPOSED] ORDER
PREMA THEKKEK; ANTHONY THEKKEK;)	[Civil L.R. 6-2]
REGINA RAJ; HCRC, INC.; OAKRHEEM,)	
INC.; and DOES 1-25,)	
Defendants.)	

STIPULATION

Subject to the approval of the Court, Plaintiff SEIU United Healthcare Workers - West (“Plaintiff”) and Defendants Prema Thekkek, Anthony Thekkek, Regina Raj, HCRC, Inc., Oakrheem, Inc. (“Defendants”) (Plaintiff and Defendant are referred to hereafter as the “Parties”), through their respective counsel of record, hereby AGREE and STIPULATE to a 60-day continuance of the trial date and pre-trial dates and deadlines in accordance with Civil Local Rules 6-1 and 6-2. Good cause exists for this stipulated continuance in that: (1) new defense counsel, Fox Rothschild LLP (“Fox Rothschild”), shall be substituting into this case on behalf of all Defendants, (2) Fox Rothschild requires time to get up to speed in this case in order to properly manage the defense of this case, including remaining discovery, mediation, and trial (if necessary), and (3) the current pre-trial and trial schedule does not permit Defendants’ counsel time to reasonably effectuate the necessary transition. This is an amended Stipulated Request, filed per direction of the Court.

In support of this Stipulation, the Parties state the following:

WHEREAS, Defendants’ long-time labor counsel, Daniel Berkley, will be joining Defendants’ new counsel, Fox Rothschild LLP on March 1, 2012;

WHEREAS, in early March 2012, new defense counsel, Fox Rothschild, shall formally substitute into this case;

WHEREAS, new defense counsel requires additional time to get up to speed in this case in order to provide Defendants with a proper defense and permit new defense counsel to participate in discovery, mediation and trial (if necessary);

WHEREAS, the deadlines in the Court’s current Case Management Order do not allow for an orderly transition of defense counsel and stand to compromise the Parties’ ability to resolve the case on a consensual basis, and the Parties believe that the continuance stipulated to herein would maximize the prospects of such a resolution, through mediation or otherwise;

WHEREAS, there have been no prior continuances or modifications of the Case Management Order in this case;

Now, THEREFORE, the Parties hereby submit this Stipulated Request for an Order

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Continuing All Scheduled Dates, and request that the Court order all currently scheduled dates, including, but not limited to, the discovery deadline, mediation deadline, summary judgment hearing and briefing dates, pretrial conference, and trial, be continued for at least sixty (60) days, as follows:

ADR: The parties are referred to private mediation to be completed by 5-16-12

Designation of experts: 4-24-12

Close of ALL discovery: 5-30-12

Hearing on dispositive motions (if any): 8-³~~16~~-12 at 9:00 a.m.**

**** if cross-motions are to be filed counsel shall agree to the following briefing schedule:**

- one party files an opening summary judgment motion by 6-6-12
- the other party shall file its opposition and cross-motion by 6-20-12
- the reply and opposition to the cross-motion is due by 7-5-12 7-4-12
- the reply in support of the cross-motion is due by 7-19-12 7-13-12

Pretrial Conference: 10-22-12 at 2:00 p.m.

Jury Trial: 11-¹³~~12~~-12 at 8:00 a.m. (7 days)

Respectfully submitted,

Dated: March 1, 2012


WEINBERG, ROGER & ROSENFELD

By: /s/ Jordan D. Mazur
JORDAN D. MAZUR
Attorneys for Plaintiff
SEIU UNITED HEALTHCARE WORKERS -
WEST

Dated: March 1, 2012

GORDON & REES LLP

By: /s/ Brian P. Maschler
Brian P. Maschler
Attorneys for Defendants
PREMA THEKKEK; ANTHONY THEKKEK;
REGINA RAJ; HCRC, INC.; OAKRHEEM, INC.


Honorable Jeffrey S. White
United States District Court Judge